

SECRET

LS-420

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Office Memorandum • UNITED STATES GOVERNMENTTO : Office of the General Counsel
[REDACTED]

25X1A

DATE: 22 March 1951

FROM : Chief, Military Personnel Division

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SUBJECT: Retirement of [REDACTED]

OGC HAS REVIEWED.

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1. This office examined the retirement records of [REDACTED] as requested by secret memo, your office, dated 19 March 1951.

2. It is the opinion of the examining officer that subject's retirement was for disability "while entitled to receive basic pay" only. The determination as to whether the disability was the "proximate result of the performance of active duty" does not apply since [REDACTED] had over eight years active duty at the time he appeared before the Board.

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3. The official approved records of the Board do show that subject's disability was determined as being the "proximate result of the performance of active duty"; however, this determination was made on the form in a square in which was the official notation "applies only when individual has less than eight years active service". In addition, this notation was underlined in red pencil and two penciled comments, initialed D. H. A., called attention to the fact that subject had over eight years active service. This determination as to "proximate result" thus appears to be an oversight on the part of the Board.

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[REDACTED]

Lt. Col., USAF
Chief, Military Personnel Division**SECRET**